



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : **MORROW, Donald Lee**  
SERIAL NO : 10/767,566  
FILED : January 29, 2004  
TITLE : INBRED MAIZE LINE PH5DR

Grp./A.U. : 1638  
Examiner : **KRUSE, David H.**  
Conf. No. : 5095  
Docket No. : P06308US01 – PHI 1365C

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The owner, Pioneer Hi-Bred, International, Inc. of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,727,413. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it

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**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (571) 273-8300.

Date: 6/10/05

Lila A. T. Akrad

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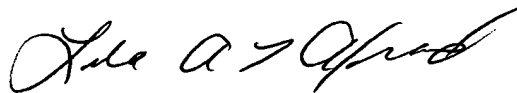
and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Enclosed is our check in the amount of \$130.00 for a terminal disclaimer under 37 C.F.R. § 1.20(d). Please charge any deficiencies or credit any overpayment to Deposit Account No. 26.0084.

Respectfully submitted,



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